

SENATE BILL 2963
By Cooper

AN ACT to amend Tennessee Code Annotated, Section 4-3-2011, relative to an organ and tissue donor registry.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 4-3-2011, is amended by deleting the section in its entirety, and by substituting instead the following:

(a)(1) The department of safety shall create and maintain an electronic registry of Tennesseans who have given consent to be an organ and tissue donor. The department shall offer each applicant for issuance or renewal of a driver license the opportunity for each driver to place such driver's name in the registry. Each applicant shall be given the opportunity to give consent by responding to the following question:

Yes, I want to be an organ and tissue donor.

(2) The department shall advise each applicant that the applicant is under no compulsion to have such applicant's name included in the registry. An individual who agrees to place such individual's name included in the consent registry shall have given full legal consent to the donation of any of the individual's organs or tissue upon the individual's death. A brochure explaining this method of executing a document of gift for an anatomical gift shall be given to each applicant. Such brochure may be provided electronically.

(3) An individual may give or withdraw consent to be listed in the consent registry maintained by the department by notifying the department in writing or by

any other means approved by the department, including electronic access to the registry.

(4) In accordance with the provisions of the Uniform Administrative Procedures Act, compiled in chapter 5 of this title, the commissioner of safety shall by rule establish such policies and procedures as may be necessary to ensure the efficient and effective operation and maintenance of the organ and tissue donor registry. Such rules shall include, but not necessarily be limited to, policies and procedures by which Tennesseans may become identified within the registry of donors.

(b) The registry shall be available electronically twenty-four (24) hours a day, seven (7) days a week to representatives of federally-designated organ procurement agencies and tissue banks so that such representatives may inquire whether a potential organ donor's name is included in the consent registry, and the department shall provide that information to any such representatives.

(c) The department shall engage in public information and other activities to encourage all Tennesseans to become organ and tissue donors and to be so identified within the organ and tissue donor registry. Furthermore, in order to encourage and promote the highest level of organ and tissue donorship within the state, the commissioner shall periodically coordinate and convene strategy and planning meetings for representatives of the departments of commerce and insurance, education, and health, Tennessee organ and tissue donor service agencies, Tennessee hospitals, Tennessee physicians' organizations, as well as other organizations and entities that seek to promote and encourage organ and tissue donorship within the state.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring

it.

